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EXAMINER
PICH, PONNOREAY

ART UNIT	PAPER NUMBER
2435	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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	Application No.	Applicant(s)
Office Action Summary	10/601,468	DRAUGHON ET AL.
	Examiner	Art Unit	
	Ponnoreay Pich	2435	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _15 December 2010_.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-7 and 9-20_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-7 and 9-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06) **Office Action Summary** Part of Paper No./Mail Date 20110217

DETAILED ACTION

Claims 1-7 and 9-19 submitted on 12/15/10 are pending.

Response to Amendment

Applicant's amendments were fully considered. Any objections/rejections not repeated for record were withdrawn due to applicant's amendments. Applicant's arguments directed at the amended claims were fully considered, but are not persuasive. (It is noted with appreciation that applicant correctly pointed out that Choski's correct patent number is 6,477,243; the typo's with respect to Choski's patent number in the previous Office action has been corrected below).

Response to Arguments

Applicant's arguments were fully considered, but are not persuasive. Applicant argues that Janacek in view of Poplawski, Choubey, and Choksi do not teach the newly added limitations of "wherein the primary message is not transmitted via email, wherein the primary message is first communicated via the secure website" and "maintaining, by the computer based system, the primary message in the common storage area of the database for dynamic access by a second intended recipient via the secure website".

However, note that in Poplawski's invention, a user is sent a notifying message that he/she has a primary message waiting for them to access via a secure website (paragraphs 29, 35, and 44). To access this message, the user must authenticate, thus the website is a secure website. The primary message itself was generated at the website which hosts the primary message (paragraphs 11-12 and 41-42). As such, since the user must log onto the website to access the primary message which was

generated at the website, the primary message is not transmitted via email, wherein the primary message is first communicated via the secure website. Note that while Poplawski's primary message is a bill, one skilled should appreciate that the teaching by Poplawski could be applied to any type of message.

As per the limitation of maintaining, by the computer based system, the primary message in the common storage area of the database for dynamic access by a second intended recipient via the secure website, as discussed above, Poplawski teaches accessing a primary message using a secure website. Further, Choubey teaches storing a shared message in a common storage area of a database for dynamic access by multiple individuals (col 3, lines 39-55 and col 4, lines 27-52). From the combined teachings of Poplawski and Choubey, one skilled would have found it obvious to maintain, by the computer based system, the primary message in the common storage area of the database for dynamic access by a second intended recipient via the secure website.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 5-7, 9-10, 12-14, and 16-20 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Janacek et al (US 6,684,248) in view of Poplawski et al (US

2003/0208441) in further view of Choubey et al (US 7,305,430) in further view of Choksi

(US 6,477,243).

Claims 1 and 20:

As per claim 1, Janacek discloses:

1. Associating, by a computer based system for facilitating access to messages, a

   primary message with a first intended recipient by a first identifier (i.e. NuID or

   email address of the recipient as identified by the toEmail field in the table seen

   in column 13), wherein the primary message is stored for retrieval in a common

   storage area of a database (Fig 1, database 13; col 3, line 66-col 4, line 2; col 4,

   line 26-29; col 4, lines 46-60; col 6, lines 5-9; col 8, lines 42-51; and col 12, line

   59-col 13, line 67). *Note that the message database, i.e. CMMSg Database*

   discussed in cited columns 12-13, is capable of holding messages that are

   addressed to a recipient identified by the toEmail field and messages that were

   also sent to other users identified by the ccEmail and bccEmail fields. This

   message database is used to store all messages. One skilled should appreciate

   that email messages could be sent to a single user or multiple users, thus since

   Janacek's message database is capable of keeping track of both types of

   messages, and his message database is used to store all messages, his

   message database is used to store both single-recipient and multiple-recipient

   messages in a common storage area.

2. Notifying, by the computer based system, the first intended recipient of the primary message stored in the database using a notification message (i.e. email message) generated by a processing device, wherein the notification message contains an address of or a link to a secure website, by transmitting the notification message to the first intended recipient (col 5, lines 7-32; col 8, lines 64-67; and col 10, lines 1-5).

3. Providing, by the computer based system, the website for the first intended recipient to view the primary message (col 5, lines 13-36).

4. Authenticating, by the computer based system, the first intended recipient using a second identifier associated with the intended recipient (col 5, lines 13-36; col 8, lines 3-17; and col 11, lines 20-24).

5. Searching, by the computer based system, primary messages stored in the common storage area of the database to find primary messages for the first intended recipient by matching the first identifier with a primary message associated with the first identifier (col 6, lines 15-18 and 27-31; col 7, lines 22-64; col 8, lines 15-17; and col 10, lines 62-67). *Messages that have not yet been processed are pre-processed by searching the messages for any messages having an email address which matches a particular recipient's email address.*

6. Providing, by the computer based system, the primary message associated with the first identifier to the first intended recipient for display by the first intended recipient (col 5, lines 33-36).

Janacek does not disclose wherein in response to no second identifier associated with the first intended recipient, the first intended recipient is prompted to create or register a second identifier. However, Poplawski discloses of a message alert system which in response no second identifier (i.e. username and password) associated with the first intended recipient, the first intended recipient is prompted to create or register a second identifier (paragraphs 29 and 38-40; and Fig 5).

At the time applicant's invention was made, it would have been obvious to one skilled in the art to modify Janacek's invention such that rather than automatically creating a second identifier for the first intended recipient if there is no second identifier associated with the first intended recipient, Janacek's invention instead prompted the first intended recipient to create or register a second identifier. It would have been obvious to do so because replacing the mechanism in which the second identifier is created in Janacek's invention using the one used by Poplawski's invention is simple substitution of one known element for another to obtain predictable results. Both mechanisms accomplish the same end result of creating a second identifier.

Janacek also does not explicitly disclose the primary message being stored for dynamic access by the first intended recipient and maintaining, by the computer based system, the message in the common storage area of the database for dynamic retrieval by a second intended recipient. However, these limitations are disclosed by Choubey (col 3, lines 39-55 and col 4, lines 27-52). Note that in Choubey's invention if a message has multiple recipients (i.e. is intended for a first and second recipient), a single copy of the message is stored in a common storage area and this single

message is then dynamically retrieved for both the first and second intentioned

recipient. Note also that while Choubey's invention stores a single copy of this shared

message if the total storage space needed to store a single copy of each recipient

exceeds a specified vale, Choubey does not limit what this size could be, thus one

skilled having common sense should appreciate that any size could be set, including

such that a single copy is always stored for shared messages no matter the size limit for

storage.

At the time applicant's invention was made, it would have been obvious to one

skilled in the art to further modify Janacek's invention such that if the (particular) primary

message has multiple intended (customer) recipients, a single copy of the primary

message is stored in a common storage area for dynamic retrieval as per Choubey's

teachings. One skilled would have been motivated to do so because it would reduce

data storage requirements associated with the email message (Choubey: col 1, lines

57-61).

The combination invention of Janacek-Poplawski-Choubey discussed above

differs from the invention being claimed by applicant in that the primary message is an

email message transmitted via email, while in the invention being claimed in claim 1, the

primary message is not transmitted via email and dynamic access by a second intended

recipient to the primary message is provided via a website. However, Choksi discloses

that email is not the only type of message that can be sent and accessed by a recipient

via a website (col 2, lines 17-32). As such, from Choksi's teachings it would have been

obvious to one skilled in the art to modify Janacek-Poplawski-Choubey's combination

invention so that the primary message is a message is not transmitted via email and
access to the primary message by intended recipients is provided via a website. Note
that while Choksi specifically discusses fax messages being accessed via a website,
one skilled having common sense should appreciate that any type of message could be
accessed via a website and the primary message would have some form of first
identifier which indicates who the intended recipients of the messages are. For
example, for a fax message, the first identifier could be the fax number of the intended
recipient instead of an email address. The rationale for why it would have been obvious
to one skilled in the art to modify Janacek-Poplawski-Choubey's combination invention
in the manner discussed using Choksi's teachings is so that doing so is nothing more
than simple substitution of one known element for another to obtain predictable results.
In this case we are only substituting the element which is used to send the primary
message from something which sends emails to one which sends some other form of
messages and allows access to the messages via a provided website.

    As per the limitation of wherein the primary message is first communicated via
the secure website, it is taught by Poplawski (paragraphs 11-12, 29, 35, 41-42, and 44),
thus is obvious to Janacek-Poplawski-Choubey-Choksi's combination invention. Note
Poplawski's primary message is generated at the website itself and the user must
authenticate at the secure website in order to gain access.

    As per the limitation that both the first intended recipient and second intended
recipient both access the primary message via the secure website, as discussed above,
Janacek and Poplawski already makes obvious accessing a primary message via a

secure website and Choubey already makes obvious allowing multiple recipients access
to the same message, thus the limitation is obvious to Janacek-Poplawski-Choubey-
Choksi's combination invention.

      Claim 20 is directed towards a system which implements the method of claim 1
and is rejected for much the same reasons. Note that Janacek, Poplawski, Choubey,
and Choksi's inventions are implemented using computers and a computer network,
thus a computer network communicating with a memory; a memory communicating with
a processor for facilitating access to messages; and the processor, when executing a
computer program is configured to execute the method as recited in claim 1 is inherent
to Janacek, Poplawski, Choubey, and Choksi's combination invention since all
computers have a memory and processor communicating with each other and the
processor executing instruction to implement one or more methods. Note also that
Janacek, Poplawski, Choubey, and Choksi's combination invention are implemented on
a computer network used to send and receive messages.

Claim 9:

      Janacek discloses:.

1. Associating, by a computer based system for facilitating access to messages, a
   primary message and with a first identifier (i.e. NuID and/or email address of the
   recipient as identified by the toEmail field in the table seen in column 13)
   corresponding to a first intended customer recipient, wherein the first identifier
   includes an account code (col 4, line 48-col 5, line 6; col 7, lines 15-17; col 8,
   lines 15-17; and col 13, lines 35-41—toEmail, ccEmail, and bccEmail), wherein

the primary message is stored in a common storage area of a secured database

(Fig 1, encrypted database 13; col 3, line 66-col 4, line 2; col 4, line 26-29; col 4,

lines 46-60; col 6, lines 5-9; col 8, lines 42-51; and col 12, line 59-col 13, line 67).

Note that the message database, i.e. CMMSg Database discussed in cited

columns 12-13, is capable of holding messages that are addressed to a recipient

identified by the toEmail field and messages that were also sent to other users

identified by the ccEmail and bccEmail fields. This message database is used to

store all messages. One skilled should appreciate that email messages could be

sent to a single user or multiple users, thus since Janacek's message database

is capable of keeping track of both types of messages, and his message

database is used to store all messages, his message database is used to store

both single-recipient and multiple-recipient messages in a common storage area.

Message database 13 is encrypted, thus is secure.

2. Notifying, by the computer based system, the first intended customer recipient of

the primary message stored in the secure database storage system by an

electronic mail generated by a processing device, wherein the electronic mail

contains an address of or a link to a website, by transmitting the electronic mail to

the first intended customer recipient (col 5, lines 7-12; col 8, lines 64-67; and col

10, lines 1-5).

3. Providing, by the computer based system, the secure website for the first

intended customer recipient to view the primary message (col 5, lines 13-36).

4. Authenticating, by the computer based system, the first intended customer recipient to view the message at the secure website using a second identifier associated with the first intended customer recipient (col 5, lines 13-36; col 8, lines 3-17; and col 11, lines 20-24). *One skilled should appreciate that websites that require log-in are typically secure websites.*

5. Searching, by the computer based system, the primary messages stored in the common storage area of the secure database for the first identifier to find the single-recipient message associated with the first identifier to be viewed by the first intended customer recipient (col 6, lines 15-18 and 27-31; col 7, lines 22-64; col 8, lines 15-17; and col 10, lines 62-67). *Messages that have not yet been processed are pre-processed by searching the messages for any messages having an email address which matches a particular recipient's email address.*

6. Providing, by the computer based system, the message associated with the first intended customer recipient to the first intended customer recipient (col 5, lines 33-36).

Janacek does not disclose wherein in response to no second identifier associated with the first intended customer recipient, the first intended customer recipient is prompted to create or register a second identifier. However, Poplawski discloses of a message alert system in which in response to no second identifier (i.e. username and password) associated with the first intended customer recipient, the first

intended customer recipient is prompted to create or register a second identifier
(paragraphs 29 and 38-40; and Fig 5).

At the time applicant's invention was made, it would have been obvious to one
skilled in the art to modify Janacek's invention such that rather than automatically
creating a second identifier for the first intended customer recipient if there is no second
identifier associated with the first intended customer recipient, Janacek's invention
instead prompted the first intended customer recipient to create or register a second
identifier. It would have been obvious to do so because replacing the mechanism in
which the second identifier is created in Janacek's invention using the one used by
Poplawski's invention is simple substitution of one known element for another to obtain
predictable results. Both mechanisms accomplish the same end result of creating a
second identifier.

Janacek also does not explicitly disclose maintaining, by the computer based
system, the primary message in the common storage area of the secure database for
dynamic retrieval by a second intended recipient. However, this limitation is disclosed
by Choubey (col 3, lines 39-55 and col 4, lines 27-52). Note that in Choubey's invention
if a message has multiple recipients (i.e. is intended for a first and second recipient), a
single copy of the message is stored in a common storage area and this single
message is then dynamically retrieved for both the first and second intentioned
recipient. Note also that while Choubey's invention stores a single copy of this shared
message if the total storage space needed to store a single copy of each recipient
exceeds a specified vale, Choubey does not limit what this size could be, thus one

skilled having common sense should appreciate that any size could be set, including such that a single copy is always stored for shared messages no matter the size limit for storage.

At the time applicant's invention was made, it would have been obvious to one skilled in the art to further modify Janacek's invention such that if the (particular) message has multiple intended (customer) recipients, a single copy of the message is stored in a common storage area of Janacek's secure database for dynamic retrieval as per Choubey's teachings. One skilled would have been motivated to do so because it would reduce data storage requirements associated with the email message (Choubey: col 1, lines 57-61).

The combination invention of Janacek-Poplawski-Choubey discussed above differs from the invention being claimed by applicant in that the primary message is an email message transmitted via email, while in the invention being claimed in claim 9, the primary message is not transmitted via email and dynamic access by a second intended recipient to the primary message is provided via a website. However, Choksi discloses that email is not the only type of message that can be sent and accessed by a recipient via a website (col 2, lines 17-32). As such, from Choksi's teachings it would have been obvious to one skilled in the art to modify Janacek-Poplawski-Choubey's combination invention so that the primary message is a message is not transmitted via email and access to the primary message by intended recipients is provided via a website. Note that while Choksi specifically discusses fax messages being accessed via a website, one skilled having common sense should appreciate that any type of message could be

accessed via a website and the primary message would have some form of first identifier which indicates who the intended recipients of the messages are. For example, for a fax message, the first identifier could be the fax number of the intended recipient instead of an email address. The rationale for why it would have been obvious to one skilled in the art to modify Janacek-Poplawski-Choubey's combination invention in the manner discussed using Choksi's teachings is so that doing so is nothing more than simple substitution of one known element for another to obtain predictable results. In this case we are only substituting the element which is used to send the primary message from something which sends emails to one which sends some other form of messages and allows access to the messages via a provided website.

As per the limitation of wherein the primary message is first communicated via the secure website, it is taught by Poplawski (paragraphs 11-12, 29, 35, 41-42, and 44), thus is obvious to Janacek-Poplawski-Choubey-Choksi's combination invention. Note Poplawski's primary message is generated at the website itself and the user must authenticate at the secure website in order to gain access.

As per the limitation that both the first intended recipient and second intended recipient both access the primary message via the secure website, as discussed above, Janacek and Poplawski already makes obvious accessing a primary message via a secure website and Choubey already makes obvious allowing multiple recipients access to the same message, thus the limitation is obvious to Janacek-Poplawski-Choubey-Choksi's combination invention.

Claim 2:

Janacek further discloses wherein the first identifier is an account code (col 4, line 61-col 5, line 1 and col 10, lines 62-67).

Claim 3:

Janacek further discloses wherein the second identifier is a combination of a user identification and a password (col 5, lines 13-36; col 8, lines 3-17; and col 11, lines 20-24).

Claims 5 and 12:

Janacek further discloses wherein the primary message includes a message portion; and an attachment file in a format that is different from a format of the message portion (col 4, lines 48-56).

Claims 6 and 13:

Janacek further discloses a step of encrypting the website to view primary messages using an encryption method (col 8, lines 23-27). SSL uses encryption.

Claims 7 and 14:

Janacek further discloses wherein the encryption method is SSL (col 8, lines 23-27).

Claim 10:

Janacek further discloses wherein the primary message includes at least one of customer account information, a financial statement, a special offer, a response to an inquiry, and a transaction confirmation (col 4, lines 48-53; col 8, lines 64-67; and col 10, lines 7-16).

Claims 15 and 18:

Janacek, Choubey, Poplawski, and Choksi disclose all the limitations of claims 1 and 9. Poplawski further disclose providing a second address of or link to a secure webpage on the secure website, the secure webpage containing the primary message, after successfully authenticating the intended (customer) recipient (paragraphs 10, 29, 44, and 46).

Claims 16 and 19:

Janacek, Choubey, Poplawski, and Choksi disclose all the limitations of claims 1 and 9. Janacek does not explicitly disclose wherein in response to the particular primary message/the primary message having multiple intended (customer) recipients, a separate copy of the (particular) primary message is not stored in the database for each intended (customer) recipient. However, Choubey discloses the limitation (col 1, lines 55-61).

Claim 17:

Janacek further discloses wherein the second identifier is at least one of a user identification, an email address, and a password (col 5, lines 13-36; col 8, lines 3-17; and col 11, lines 20-24).

Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janacek et al (US 6,684,248) in view of Poplawski et al (US 2003/0208441) in further view of Choubey et al (US 7,305,430) in further view of Choksi (US 6,477,243) in further view of Fung et al (US 2002/0055909).

Claims 4 and 11:

Janacek does not explicitly disclose wherein the second identifier is/includes a physical characteristic of the first intended (customer) recipient identifiable by a biometric identification system. However, Fung discloses use of an identifier that is a physical characteristic of the user that is identifiable by a biometric identification system (paragraphs 148-149).

At the time applicant's invention was made, it would have been obvious to one skilled in the art to further modify Janacek's invention such that after a user is authenticated via a password as the second identifier the first time, a biometric identification system was used in place of the password as part of the second identifier as per Fung's teachings according to the limitations further recited in claims 4 and 11. One skilled would have been motivated to do so because a biometric identifier is more secure than a password since it cannot be forgotten by the user.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ponnoreay Pich whose telephone number is (571) 272-

7962. The examiner can normally be reached on 9:00am-4:30pm Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

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/Ponnoreay Pich/
Primary Examiner, Art Unit 2435